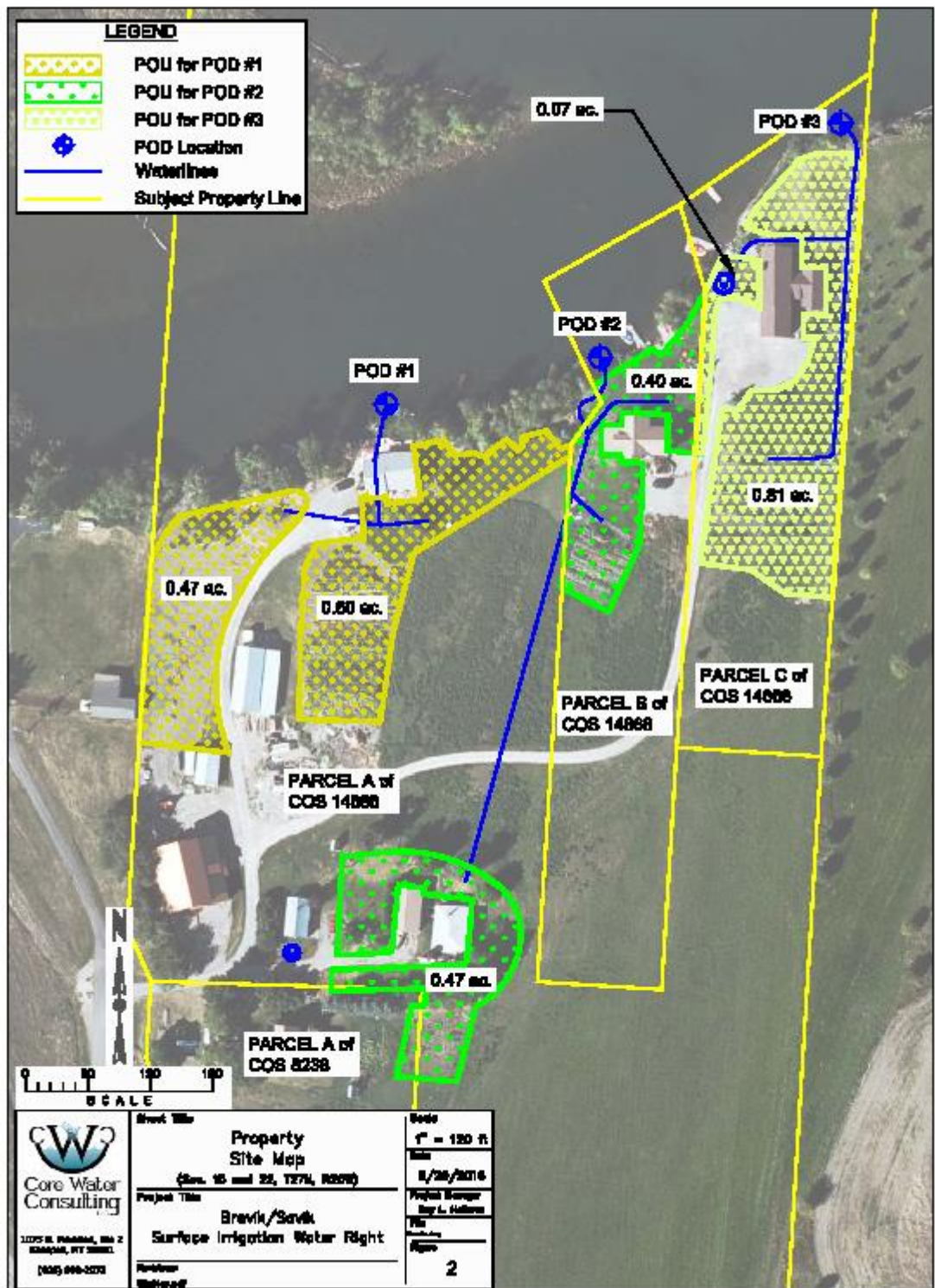


Montana Department of Natural Resources and Conservation  
Water Resources Division  
Water Rights Bureau

**ENVIRONMENTAL ASSESSMENT**  
**For Routine Actions with Limited Environmental Impact**

**Part I. Proposed Action Description**

1. Applicant/Contact name and address: Gerald & Linda Brevik et al.  
170 Fennon Way  
Somers, MT 59932
2. Type of action: Surface Water Application for Beneficial Water Use Permit 76LJ  
30107338
3. Water source name: Fennon Slough
4. Location affected by project: Parcels A & B of COS 14666 and Parcel A of COS 8238,  
located in the SWSWSW Section 15, Township 27N, Range 20W, Flathead County and  
the NWNWNW Section 22, Township 27N, Range 20W, Flathead County.
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:  
  
The Applicant is proposing to install three pumps in Fennon Slough, which is directly  
connected to the Flathead River. The three pumps will divert water at a combined rate of  
87 GPM up to 5.6 AF annually, from three points in the SWSWSW Section 15,  
Township 27N, Range 20W, Flathead County, for lawn & garden irrigation use from  
April 15- October 15. The Applicant proposes to irrigate 2.82 acres of lawn & garden.  
  
The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311  
MCA are met.
6. Agencies consulted during preparation of the Environmental Assessment:  
Montana Department of Fish, Wildlife, & Parks (DFWP)  
Montana Department of Environmental Quality (DEQ)  
Montana Natural Heritage Program  
National Wetlands Inventory  
USDA NRCS Web Soil Survey



## Part II. Environmental Review

### 1. Environmental Impact Checklist:

## PHYSICAL ENVIRONMENT

### **WATER QUANTITY, QUALITY AND DISTRIBUTION**

**Water quantity** - *Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

*Determination:* No significant impact

The source of supply is Fennon Slough which is directly connected to the Flathead River. The Flathead River has not been identified as chronically or periodically dewatered by the Montana Department of Fish, Wildlife, & Parks. The proposed appropriation is for 87 GPM up to 5.6 AF per year; this flow and volume has been determined to be both physically and legally available from the source.

**Water quality** - *Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

*Determination:* No significant impact

The reach of the Flathead River which will be depleted by the proposed appropriation has not been assessed for any beneficial uses by DEQ. The amount of water the Applicant is requesting is not anticipated to any negative impacts on the water quality of the Flathead River.

**Groundwater** - *Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

*Determination:* No significant impact

This project does not involve groundwater.

**DIVERSION WORKS** - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

*Determination:* No significant impact

The means of diversion is three pumps with inlets set into Fennon Slough. It is not anticipated that there will be any channel impacts, flow modifications, barriers, dams, or riparian impacts to Fennon Slough or the Flathead River related to installation of the pumps.

### **UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

**Endangered and threatened species** - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater,*

*assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”*

*Determination:* No significant impact

The Montana Natural Heritage Program identified a list of 9 animal species of concern within the township and range that the project is in. Of this list, the Bull Trout is listed as “threatened” by the US Fish & Wildlife Service. Three plant species of special concern were identified by the Montana Natural Heritage Program to potentially be in the project area. None of the plant species are identified as endangered or threatened by the US Fish & Wildlife Service. This project is located on Fennon Slough north of Flathead Lake and it is not anticipated that any of the species of concern will be impacted by the proposed project.

Great Blue Heron	Brown Creeper	Pileated Woodpecker	Evening Grosbeak
Cassin’s Finch	Common Tern	Westslope Cutthroat Trout	Pygmy Whitefish
Bull Trout	Bristly Sedge	Guadalupe Water-nymph	Columbia water-meal

**Wetlands** - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

*Determination:* No significant impact

There were no wetlands identified within the Applicant’s proposed place of use.

**Ponds** - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

*Determination:* No significant impact

There were no natural ponds identified within the Applicant’s proposed place of use.

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE** - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

*Determination:* No significant impact

This proposed beneficial use of this application is irrigation of 2.82 acres of lawn & garden. It is not anticipated that this use will have an impact on the soil quality, stability, or moisture content. The soils in the project area are silty clay loams which are moderately well drained.

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

*Determination:* No significant impact

It is not anticipated that issuance of a water use permit will contribute to the spread of noxious weeds in the project area. Noxious weed prevention will be the responsibility of the landowner. Development that has previously occurred on the properties has likely changed the composition of the flora within the area.

**AIR QUALITY** - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

*Determination:* No significant impact

There will be no impact to air quality associated with issuance of a water use permit.

**HISTORICAL AND ARCHEOLOGICAL SITES** - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

*Determination:* N/A- Project not located on State or Federal Lands.

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY** - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

*Determination:* No other potential impacts have been identified.

## HUMAN ENVIRONMENT

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

*Determination:* No known environmental plans or goals will be impacted by this project.

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

*Determination:* No access or recreational activities will be significantly impacted by this project.

**HUMAN HEALTH** - *Assess whether the proposed project impacts on human health.*

*Determination:* This proposed project will have no significant impact on human health.

**PRIVATE PROPERTY** - *Assess whether there are any government regulatory impacts on private property rights.*

Yes\_\_\_ No X *If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

*Determination:* No regulatory impacts are known.

**OTHER HUMAN ENVIRONMENTAL ISSUES** - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

*Impacts on:*

- (a) Cultural uniqueness and diversity? No significant impacts identified
- (b) Local and state tax base and tax revenues? No significant impacts identified
- (c) Existing land uses? No significant impacts identified
- (d) Quantity and distribution of employment? No significant impacts identified
- (e) Distribution and density of population and housing? No significant impacts identified
- (f) Demands for government services? No significant impacts identified
- (g) Industrial and commercial activity? No significant impacts identified
- (h) Utilities? No significant impacts identified
- (i) Transportation? No significant impacts identified
- (j) Safety? No significant impacts identified
- (k) Other appropriate social and economic circumstances? No significant impacts identified

**2. *Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts    No significant impacts identified

Cumulative Impacts    No significant impacts identified

**3. *Describe any mitigation/stipulation measures:*** None

**4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:***

The only alternative to the proposed action would be the no action alternative. The no action alternative would not authorize the Applicant to use water from Fennon Slough for irrigation of their lawn & garden.

*PART III. Conclusion*

**1. Preferred Alternative**

Issue a water use permit if the Applicant proves the criteria in 85-2-311 MCA are met.

**2 Comments and Responses**

None

**3. Finding:**

Yes\_\_\_ No **X** Based on the significance criteria evaluated in this EA, is an EIS required?

*If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:*

No significant impacts related to the proposed project have been identified.

*Name of person(s) responsible for preparation of EA:*

*Name:* Nathaniel T. Ward

*Title:* Water Resource Specialist

*Date:* October 7, 2016